

[Report No. 734.]

IN THE SENATE OF THE UNITED STATES.

FEBRUARY 7, 1879.

NLM

Mr. HARRIS, from the Select Committee to investigate and report the best means of preventing the introduction and spread of Epidemic Diseases, submitted a report (No. 734), accompanied by the following bill; which was read the first and second times by unanimous consent.

A BILL

To prevent the introduction of contagious or infectious diseases into the United States, and to establish a Bureau of Public Health.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled*
3 That there shall be established in the Treasury Department
4 a Bureau of Health, with a chief executive officer, to be called
5 the Director-General of Health, to be appointed by the
6 President, by and with the advice and consent of the Senate,
7 who shall receive a salary of four thousand five hundred dol
8 lars per annum; and there shall be appointed by the Secre
9 tary of the Treasury, in said Bureau of Health, in addition to
10 the clerks and assistants necessary to perform duties in con
11 nection with the Marine Hospital service, and whose salaries
12 are payable out of the Marine Hospital fund, one chief clerk,

13 at a salary of two thousand dollars, and such other clerks, in
14 number and grade, as may be found necessary, not to exceed
15 three.

1 SEC. 2. That in connection with said Bureau of Health
2 there shall be established a Board of Health, to consist of seven
3 members, to be appointed by the President, by and with the
4 advice and consent of the Senate, whose compensation during
5 the time when actually engaged in the performance of their
6 duties under this act, shall be ten dollars per diem and reason-
7 able expenses. The Surgeon-General of the Army and the
8 Surgeon-General of the Navy shall be ex officio additional
9 members of said board, but without additional pay. Said
10 board shall meet in Washington within thirty days after the
11 passage of this act, and in Washington or elsewhere from time
12 to time upon notice from the Director-General of Health, or
13 upon its own adjournments, and shall frame all rules and
14 regulations authorized or required by this act, and shall make,
15 or cause to be made, by members of their own body, such
16 special examinations and investigations at any place or places
17 within the United States as they may order, to aid in the
18 execution of this act and the promotion of its objects, subject
19 to the approval of the Secretary of the Treasury. The Direc-
20 tor-General of Health shall be ex-officio a member and presi-
21 dent of said Board of Health. All rules and regulations framed
22 under this act by said Board of Health shall be uniform and

23 subject to the approval of the President, and shall be enforced
24 by the Director-General of Health.

1 SEC. 3. That the Bureau of Health shall be charged
2 with the supervision of all matters connected with the
3 Marine Hospital Service; and the Director-General of
4 Health shall perform all the duties and exercise all the powers
5 now devolving upon the Supervising Surgeon of the Marine
6 Hospital Service, which office is hereby abolished, and all the
7 records, papers, and other matters belonging thereto trans-
8 ferred to the Bureau of Health; and said bureau is charged
9 with the execution of the provisions of this and all other acts
10 and measures to prevent the introduction of contagious or
11 infectious diseases into the United States, and the enforce-
12 ment of all quarantine regulations, lawfully established under
13 the authority of the United States, in respect to all vessels
14 and vehicles engaged in commerce with foreign
15 nations and among the States, whether by land or water.
16 The Bureau of Health shall also be charged with the execu-
17 tion of all laws and orders, rules and regulations, made in
18 pursuance of law, for the improvement of the sanitary condi-
19 tion of the District of Columbia. The Bureau of Health shall
20 also be charged with the duty of obtaining information of the san-
21 itary condition of foreign ports and places from which contagious
22 or infectious diseases are or may be imported into the United
23 States; and to this end the consular officers of the United

24 States, at all ports and places, who may be required to do so,
25 shall make to the Director-General of Health weekly reports of
26 the sanitary condition of the ports and places at which they are
27 respectively stationed, according to such forms as he may pre-
28 scribe; and the Bureau of Health shall also obtain, through
29 the medical officers of the Marine Hospital Service, collectors
30 of customs, and such other sources as are accessible, including
31 State and municipal health officers and authorities throughout
32 the United States, weekly reports of the sanitary condition of
33 ports and places within the United States; and the Director-
34 General of Health shall prepare and transmit to the medi-
35 cal officers of the Marine Hospital Service, to collectors of
36 customs, and to State and municipal health officers and
37 authorities, weekly abstracts of the consular sanitary reports,
38 and other pertinent information received by him; and said
39 Bureau of Health shall also, as far as it may be able, by
40 means of the voluntary co-operation of State and municipal
41 authorities, of public associations and private persons, procure
42 information relating to the climatic and other conditions
43 affecting the public health; and the Director-General of
44 Health shall make an annual report to the Secretary of the
45 Treasury of the operations of the Bureau of Health, for
46 transmission to Congress, with such recommendations as he
47 may deem important to the public interests.

1 SEC. 4. That it shall be unlawful for any vessel engaged

2 in the transportation of goods or persons from any foreign
3 port where any contagious or infectious disease exists
4 to and into the United States to enter any port of the
5 United States except in accordance with the provisions of
6 this act, and all rules and regulations made in pursuance
7 thereof and applicable thereto; and any such vessel which
8 shall enter or attempt to enter a port of the United States in
9 violation thereof shall forfeit to the United States a sum, to
10 be awarded in the discretion of the court, not exceeding five
11 thousand dollars, which shall be lien upon said vessel, to be
12 recovered by proceedings in admiralty in the proper district
13 court of the United States.

1 SEC. 5. All such vessels shall be required to obtain from
2 the consul, vice-consul, or other consular officer of the United
3 States at the port of departure, a certificate, in duplicate, set-
4 ting forth that said vessel has in all respects complied with
5 the rules and regulations in such cases prescribed, and herein
6 authorized, for the disinfection of the said vessel, its cargo,
7 passengers, and crew; and said consular officer is required,
8 before granting such certificate, to be satisfied that the mat-
9 ters and things therein stated are true, and for his services
10 in that behalf shall be entitled to demand and receive such
11 fees as shall by lawful regulation be allowed, to be accounted
12 for as is required in other cases.

13 And all vessels sailing from the port of Havana, in the

14 island of Cuba, and bound for any port in the United States,
15 shall be required to obtain from a medical officer, serving in
16 the office of the consul of the United States at that port,
17 to be appointed by the President, by and with the advice
18 and consent of the Senate, for that purpose, and who
19 shall receive a salary of three thousand five hundred dollars
20 per annum, his certificate, setting forth that he has personally
21 inspected said vessel, her cargo, crew, and passengers; that
22 the rules and regulations prescribed by the Bureau of Health
23 in respect thereto have been fully complied with; and that, in
24 his opinion, the said vessel may be allowed to enter any port
25 of the United States and land its cargo and passengers, with-
26 out danger to the health thereof on account of any contagious
27 or infectious disease; and any vessel sailing from said port
28 without such certificate of said medical officer, entering any
29 port of the United States, shall forfeit to the United States
30 the sum of five hundred dollars, which shall be a lien on the
31 same, to be recovered by proceedings in admiralty in the
32 proper district court of United States.

1 SEC. 6. The Director-General of Health shall, from time
2 to time, issue to the consular officers of the United States,
3 and to the medical officer serving at the port of Havana,
4 and otherwise make publicly known, in such manner as
5 shall be therein prescribed, the rules and regulations framed
6 by the Board of Health and approved by the President, to be

7 used and complied with by vessels in foreign ports, for disin-
8 fecting such vessels, their cargoes, passengers, and crew, be-
9 fore their departure for any port in the United States, and in
10 the course of the voyage; and also such other rules and regu-
11 lations which shall be observed in the inspection of the same,
12 on the arrival thereof at any quarantine station at the port
13 of destination, and for the disinfection and isolation of the
14 same, and the treatment of cargo and persons on board, so as
15 to prevent the spread of cholera, yellow fever, or other con-
16 tagious or infectious disease; and it shall not be lawful for
17 any vessel to enter said port, to discharge its cargo, or land
18 its passengers, except upon a permit from the health-officer
19 at such quarantine station, certifying that said rules and
20 regulations have in all respects been observed and com-
21 plied with, as well on his part as on the part of the said
22 vessel and its master, in respect to the same, and to its cargo,
23 passengers, and crew; and the master of every such vessel
24 shall produce and deliver to the collector of customs at said
25 port of entry, together with the other papers of the vessel,
26 the said certificates required to be obtained at the port of
27 departure, and the permit and certificate herein required to
28 be obtained from the health-officer at the port of entry. In
29 case the health-officer at any such port appointed by local
30 authority shall refuse to adopt and observe the rules and reg-
31 ulations prescribed by the Bureau of Health for the inspection,

32 disinfection, and treatment of vessels, their cargoes, passen-
33 gers, and crews, or, in the opinion of the Board of Health,
34 shall neglect or fail so to do, it shall be the duty of the Sec-
35 retary of the Treasury to appoint a health-officer of the United
36 States for said port, who shall perform the duties thereof, as
37 prescribed by said Bureau of Health, according to the rules
38 and regulations as prescribed by the Board of Health, as pro-
39 vided by the second section of this act; and to provide for the
40 salary of such health-officer and the necessary expenses of
41 his office, the collector of customs at said port shall demand
42 and collect from every such vessel a fee of six dollars and
43 fifty cents; but it shall be the duty of the medical officers of
44 the Marine Hospital Service and of customs-officers to aid in
45 the enforcement of the rules and regulations authorized by
46 this act, without additional compensation, except for actual
47 and necessary traveling expenses incurred in the performance
48 of such duties.

1 SEC. 7. That rules and regulations framed and approved
2 as hereinbefore authorized shall be promulgated, so that when
3 cholera, yellow fever, or other similar contagious or infectious
4 disease shall be ascertained by the Director-General of Health
5 to exist in any port or place within any one of the United
6 States, in such form as threatens its spread, as to prevent,
7 as far as practicable, the communication of the same to other
8 ports and places within other States, by means of vessels and

9 vehicles engaged in the transportation of goods or passengers
10 between two or more States, whether by land or water; and
11 in that case the Director-General of Health shall select suit-
12 able localities for establishing quarantine stations on the rivers
13 and other lines of inter-State commerce and travel by railroads,
14 and may cause to be erected necessary temporary buildings
15 for the disinfection of passengers, baggage, cargoes, vessels,
16 and vehicles, and may enforce such rules and regulations
17 relating thereto as may have been prescribed therefor.

1 SEC. 8. That it shall be the duty of the Director-Gen-
2 eral of Health and of the Board of Health, so far as they
3 lawfully may, in the execution of their powers conferred upon
4 them by law, to correspond and co-operate with similar
5 local officers, boards, and authorities acting under laws of
6 the States in sanitary measures, to prevent the introduction
7 and spread of contagious and infectious diseases from foreign
8 countries into the United States, and from one State into any
9 other State, by means of commercial intercourse, or upon
10 and along the lines of inter-State trade and travel; and to
11 that end it shall be lawful for said Board of Health and
12 Director-General of Health to confer upon any such local
13 officer or board within or near the locality where his or its
14 authority is exercised, power also to enforce the provisions
15 of this act and any rules and regulations made in pursuance
16 thereof.

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